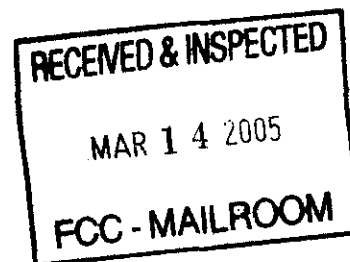




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March 9, 2005

EX PARTE
MM Docket No. 99-360

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Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Ms. Dortch,

As the Commission reviews and resolves the public interest obligations for digital broadcasters this year, the Benton Foundation wishes to share its recent publication, *Citizen's Guide to the Public Interest Obligations of Digital Television* for its consideration.

We have electronically submitted a PDF of this publication ex parte to MM Docket No. 99-360, but we believe it is also relevant to the following dockets:

- Children's Television Obligations of Digital Television Broadcasters (MM Docket No. 00-167, FCC 00-344, FCC 04-221)
- Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations (MM Docket No. 00-168)
- Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion To Digital Television (MB Docket No. 03-15 RM-9832)
- Carriage of Digital Television Broadcast Signals (CS Docket 98-120, FCC 05-27)
- Review of the Emergency Alert System (EB Docket No. 04-296)

In addition, we are sharing a copy of the publication with Commissioners Adelstein and Capps.

Thank you for your help in providing FCC Commissioners and staff access to the publication in their deliberations.

Sincerely,

Karen Menichelli
Executive Vice President

The Commonwealth Building
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Washington, DC 20006
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FOR IMMEDIATE RELEASE

FEBRUARY 16, 2005

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Benton Releases Guide for Citizens Committed to Strengthening Competition, Localism, and Diversity in Media

Washington, DC – Today, the Benton Foundation is releasing *CITIZEN'S GUIDE TO THE PUBLIC INTEREST OBLIGATIONS OF DIGITAL TELEVISION BROADCASTERS*, a practical, hands-on guide for citizens who care about television's role in their lives and want to maximize the public benefits that come from the public's airwaves. The release comes on the heels of a new and long-overdue Federal Communications Commission commitment to define the public interest obligations of digital television broadcasters by the end of this year.

"Television has never played a more important role in our lives," said Benton Foundation Chairman Charles Benton. "But today's television is too often out of touch with today's realities: parent's struggling to find educational programming for their children, voters struggling to find basic coverage of campaigns and elections so vital to our democracy, and minorities too often having difficulty finding programming in touch with their lives. In each case, broadcasters have too often lost touch with the needs of the people who own the airwaves."

Broadcasters have an obligation to serve the public interest. The government provides broadcasters exclusive access to a portion of the public airwaves – "spectrum" – for broadcasting in exchange for their commitment to serve the "public interest, convenience, or necessity." These basic obligations, called public interest obligations, are critical tools that are designed to ensure that television is at least partially grounded in today's reality.

"We must decide whether our newest television technologies can support our oldest and most time-honored values of democracy, diversity, localism, and education," said Benton Senior Fellow Jim Kohlenberger, a former Senior Domestic Policy Advisor in the Clinton White House and one of the report's primary authors. "It is time to put the television policy remote control back into the public's hands and once again give citizens greater control over the children they raise, the kind of democracy they participate in, and the discourse they deserve."

The *CITIZEN'S GUIDE* is a tool for grassroots organizations that want to bring more citizens into the media reform debate. And it is a resource for the millions of Americans who realize the profound effects television can have on our lives. The guide is available on the Benton

Foundation's web site at www.benton.org. It was produced with support from The Ford Foundation's Knowledge, Creativity, and Freedom Program.

Benton's Director of Research Kevin Taglang, a primary developer of the report, said, "Because never has there been so much at stake for the public in media policy, citizens now have a new tool and opportunity to get involved in preserving, protecting, and strengthening the public benefits that come from our media."

A private foundation since 1981, the Benton Foundation (www.benton.org) works to advance a public interest vision and policy alternatives for the digital age and to demonstrate the value of communications for solving social problems. The foundation is based in Washington, DC.

The foundation is a proud member of the *Public Interest, Public Airwaves Coalition*, a powerful alliance of public policy groups, media activists, and grassroots organizers that are instrumental in the ongoing fight against media consolidation and deregulation. The release of this guide is in conjunction with a discussion the Coalition is having on the public interest obligations of digital television broadcasters Wednesday, February 16 at 9:30 a.m. at the National Press Club, Zenger Room, 13th Floor. Contact Stephanie Collier of the Campaign Legal Center at 202.736.2200 for more information.

From the fall of 1997 to December of 1998, Charles Benton was a member of the Presidential Advisory Committee on Public Interest Obligations of Digital Television Broadcasters, whose final report was submitted to Vice President Al Gore on December 18, 1998. The Benton Foundation was designated by the co-chairs (Norman Ornstein, resident scholar at the American Enterprise Institute, and Leslie Moonves, president of CBS Television) to serve as a home of the Advisory Committee legacy, acting as an institutional memory and tracking the debate on and progress of the Advisory Committee's report and recommendations.

Jim Kohlenberger is a technology and telecommunications policy expert with more than 15 years of Washington policymaking experience. He spent eight years in the White House where he helped formulate U.S. policy on technology, telecommunications, and the Internet. Specifically, he worked to help pass the Telecommunications Act of 1996, shape the administration's hands-off approach to the Internet and e-commerce, and spearheaded administration efforts to bridge the digital divide and connect every classroom to the Internet.

Kevin Taglang edits the foundation's free, daily news summary service, Communications-related Headlines. Delivered via e-mail, Headlines summaries mainstream consumer and trade press coverage of important industry developments, policy debates, and pertinent news events.

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